



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,184	08/02/2001	Byung-Jik Kim	5000-I-216	6101

33942 7590 01/28/2003

CHA & REITER
411 HACKENSACK AVE, 9TH FLOOR
HACKENSACK, NJ 07601

EXAMINER

NGUYEN, SON V

ART UNIT	PAPER NUMBER
2839	

DATE MAILED: 01/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<h2 style="margin: 0;">Office Action Summary</h2>	Application No. 09/921,184	Applicant(s) Kim et al.		
	Examiner Son Nguyen	Art Unit 2839		
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.				
- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).				
Status				
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>Nov 8, 2002</u>				
2a) <input checked="" type="checkbox"/> This action is FINAL. 2b) <input type="checkbox"/> This action is non-final.				
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11; 453 O.G. 213.				
Disposition of Claims				
4) <input checked="" type="checkbox"/> Claim(s) <u>1-12</u> is/are pending in the application.				
4a) Of the above, claim(s) _____ is/are withdrawn from consideration.				
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.				
6) <input checked="" type="checkbox"/> Claim(s) <u>1-12</u> is/are rejected.				
7) <input type="checkbox"/> Claim(s) _____ is/are objected to.				
8) <input type="checkbox"/> Claims _____ are subject to restriction and/or election requirement.				
Application Papers				
9) <input type="checkbox"/> The specification is objected to by the Examiner.				
10) <input type="checkbox"/> The drawing(s) filed on _____ is/are a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).				
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.				
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.				
Priority under 35 U.S.C. §§ 119 and 120				
13) <input type="checkbox"/> Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) <input type="checkbox"/> All b) <input type="checkbox"/> Some* c) <input type="checkbox"/> None of: 1. <input type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).				
*See the attached detailed Office action for a list of the certified copies not received.				
14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.				
15) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.				
Attachment(s)				
1) <input type="checkbox"/> Notice of References Cited (PTO-892)		4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____		
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)		
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____		6) <input type="checkbox"/> Other: _____		

Art Unit: 2839

DETAILED ACTION

Claim Objections

1. Claim 1-6 are objected to because of the following informalities:

In claim 1, line 9, there is no antecedent basis for “said optical transceiver.” Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsieh et al. (US 5,625,780) and Van Deventer (US 6,021,234) in view of Cannella, Jr. et al. (US 6,144,561).

Hsieh et al. discloses a cross connect device [figure 2] comprising:

- a switch motherboard [10];
- a crosspoint switch [22] positioned in the center of the motherboard;
- a plurality of switch connectors [12];
- a plurality of transceiver boards [14] having a plurality of connector [not shown] for connecting to the switch connectors; and

Art Unit: 2839

- an impedance signal line is formed in the mother board [figure 2, column 6, lines 25-26].

Hsieh et al. discloses the instant claimed invention except for the transceiver boards are optical boards.

Van Deventer discloses an interconnect device [figure 1] having a plurality of optical boards [16, claim 20] being mounted on a motherboard [10].

It would have been obvious to one having ordinary skill in the art at the time invention was made to modify the boards of Van Deventer to use the optical boards as taught by Van Deventer for the purpose of providing a communication signal ~~of~~ an optical signal.

Hsieh et al. and Van Deventer discloses the instant claimed invention except for the motherboard and the transceiver mounted to a shelf having a plurality of racks.

Cannella, Jr. et al. discloses a board assembly [figure 2] comprising a shelf [10] having a plurality of guide rails.

It would have been obvious to one having ordinary skill in the art at the time invention was made to use the transceiver boards of Van Deventer place into the shelf including the guide rails as taught by Cannella, Jr. et al. for the purpose of facilitate guiding and retaining the boards.

Response to Arguments

4. Applicant's arguments filed 11/8/02 have been fully considered but they are not persuasive.

Art Unit: 2839

Applicants argue that the combination of references fails to provide the disclosure, suggestion, or motivation that would have made the instant claims obvious. Examiner respectfully disagrees. Hsieh et al., Van Deventer and Cannella, Jr. et al. disclose all limitations that applicants claimed in the claims. The combination and motivation have described in the rejection above.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son Nguyen whose telephone number is (703) 308-8745.

Art Unit: 2839

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached on (703) 308-2710. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1782.



Son Nguyen

January 22, 2003



LYNN FIELD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800